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and Northbay Real Estate, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRS RECOVERY, Inc., a Virginia Corp. and
DALE MAYBERRY

Case No.: CV 06-07093 CW

Plaintiffs,

vs.

JOHN LAXTON, aka johnlaxton@gmail.com,
NORTH BAY REAL ESTATE, INC., *et. al.*

**SUPPLEMENTAL DECLARATION OF VAL
D. HORNSTEIN IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT, OR IN THE ALTERNATIVE
FOR SUMMARY ADJUDICATION OF
CLAIMS**

Date: Sept. 4, 2008
Time: 2:00 PM
Courtroom: 2

1. I am counsel of record in this action for defendants Northbay Real Estate Inc. and John Laxton ("Defendants"). I have personal knowledge of the matters set forth in this declaration and could and would competently testify thereto.

2. Attached as Exhibit A hereto are true and correct copies of excerpts from the December 11, 2007 deposition of plaintiff Dale Mayberry.

I declare under penalty of perjury that the foregoing is true and correct. Executed at
Pinecrest, CA on August 21, 2008.

s/Val D. Hornstein/s
VAL D. HORNSTEIN